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JUN 10 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

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June 10, 1993

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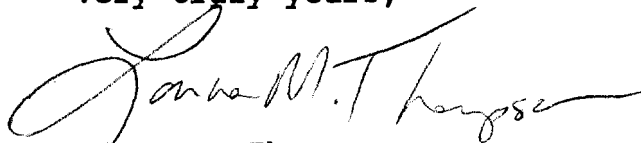
RE: MM Docket No. 93-106  
Comments of the University of Maryland

Dear Ms. Searcy:

Transmitted herewith, on behalf of the University of Maryland, are an original and four copies of its Comments in MM Docket No. 93-106.

Should any questions arise concerning this matter, please communicate with this office.

Very truly yours,

  
Lonna M. Thompson

LMT/bl1  
Enclosures

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BEFORE THE

**Federal Communications Commission**

WASHINGTON, D.C. 20554

JUN 10 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In re

Amendment of Part 74 of the  
Commission's Rules Governing  
Use of the Frequencies in the  
Instructional Television Fixed Service

MM Docket No. 93-106

To: The Commission

**COMMENTS OF THE UNIVERSITY OF MARYLAND**

The University of Maryland ("University") by its attorneys, hereby submits its Comments in response to the Commission's Notice of Proposed Rulemaking, MM Docket No. 93-106, FCC 93-183, released April 26, 1993 ("Notice").

The University urges the Commission not to adopt its proposal to permit Instructional Fixed Television Service ("ITFS") applicants to meet channel loading requirements for multiple channels by scheduling all of the required hours of ITFS programming on one or two channels. The University believes that adoption of the proposal will contribute to the further degradation of the ITFS service and to the further erosion of the educational value of the ITFS channels.

**Preliminary Statement**

Constituent schools of the University operate ITFS facilities that offer a full range of undergraduate and graduate, as well as professional development, academic courses for credit to students throughout the Washington, D.C. metropolitan area, including Northern Virginia, suburban Maryland, Baltimore, and

Annapolis, as well as in Hagerstown, Maryland. These ITFS programs include over 100 university-level undergraduate and graduate courses and over 100 professional development courses. More than 3,000 students participate in the programs annually. These courses are transmitted live over television transmission systems operating on ITFS frequencies. Therefore, it is very important to the University that the Commission maintain rules and policies that would safeguard the integrity of existing ITFS facilities and would provide for the growth of ITFS as an educational medium.

#### Comments

In its Notice, the Commission proposes permitting ITFS applicants to seek up to four channels if they propose a minimum average ITFS programming of 20 hours per channel (80 hours) per week regardless of the distribution of the ITFS programming on those channels. In other words, under the proposal, all 80 hours of the required minimum instructional programming could be scheduled for transmission on only one of the four channels (16 hours per day), and the other three channels could be used by wireless cable operators one hundred percent of the time to transmit entertainment and other commercial programming.

The University believes that the proposal is yet another effort by the Commission to divert the ITFS spectrum to wireless cable. Wireless cable operators would undoubtedly use the proposed policy to promote marginal ITFS systems and to use the majority of the channels for the transmission of entertainment

and other commercial programming. The ITFS systems developed under the proposed policy would be at best marginal because it is simply not practical to transmit 16 hours of live instructional programs a day on a single channel during the time of the day the students can be expected to attend and interact with the instructor. In fact, educational institutions would be able to transmit "live" only a couple of courses during normal school hours. They would have to resort to the use of videotapes to meet the minimum channel loading requirements transmitted after or before ordinary school and business hours.

In most cases, school courses are taught during the day. Under the proposal, the only way that courses taught during the same day time period will be able to be presented on only one or two channels is to videotape some of the courses and transmit the videotapes later. Teaching courses by videotapes is not acceptable to most universities. They require that instructions be transmitted live, to allow interaction between students and teachers, in order for credit to be granted. The University of Maryland does not allow courses to be taught via videotape, and uses four channels so that the desired courses are transmitted live as they are being taught.

In sum, adoption of the proposal would decrease the educational value of ITFS systems. There would be fewer ITFS course offerings, and those offerings would be less attractive. Even if program concentration were permitted only on a voluntary basis for three to five years (until ITFS video compression

becomes available), as suggested by the Commission, it would be detrimental to the growth of ITFS systems during those years, and, therefore, it would be undesirable.

Conclusion

Accordingly, the University urges the Commission not to adopt its proposal, even on an interim basis.

Respectfully submitted,

UNIVERSITY OF MARYLAND

